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State of New Hampshire

OFFICE OF ATTORNEY-GENERAL

WARREN E. WATERS

WARREN E. WATERS

EDWARD J. GALLAGHER

1956

LEGISLATIVE COUNCIL
Room 218
STATE HOUSE, CONCORD

April 19 5 6

April 18

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CONCORD, N.H.

Honorable Dean B. Merrill
Chairman, Legislative Council
Room 218, State House
Concord, New Hampshire

Dear Senator Merrill:

In the absence of Mr. Wyman I am replying
to your letter of April 16, 1956.

Your letter forwarded to us a copy of a
letter from Mr. E. J. Kingsbury, Jr. of the Commission on Educational Tele-
vision dated March 20, 1956. In his letter to the Council, Mr. Kingsbury
points out that his Commission desires to cause 500 copies of its report to
be printed, and asks if the Council could share in the cost of such printing
through an appropriation of its funds for that purpose. You now inquire
whether the Council's funds may legally be so employed.

We advise in the negative.

The Commission on Educational Television
was established by Laws 1953, c. 234 and continued in existence by Laws 1955,
c. 89. Its purpose is to make a comprehensive study to ascertain the need
and the advisability for educational television facilities in New Hampshire.
Its findings are to be reported periodically to the Council, with a final
report on or before October 30, 1956. In the performance of all of its
duties the Commission is entirely separate from the Council. Your body has
only the duty to receive the reports when rendered.

In such circumstances the use of the
Council's funds in the performance of a function by law assigned to another
agency, the Commission, is not legally warranted.

Very truly yours,

Thank you for your kind attention to this matter.

Warren E. Waters
Deputy Attorney General

Sincerely yours,

Warren E. Waters

WEW/T

Dean B. Merrill
Chairman